

GAU 1625

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/702,944	
	Filing Date	October 31, 2000	
	First Named Inventor	Fukuda, et al.	
	Group Art Unit	1625	
	Examiner Name	Morris, P.	
Total Number of Pages in This Submission		Confirmation Number	

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
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<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
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<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Eileen M. Ebel
Signature	
Date	November 21, 2001

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail on the date shown below in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231:	
Typed or printed name	Eileen M. Ebel
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PATENT APPLICATION

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Inventors: Fukuda, et al.

Group: 1625

Serial No. 09/702,944, filed October 31, 2000

Examiner: Morris, P.

For: N-SUBSTITUTED CARBAMOYLOXYALKYL-AZOLIUM DERIVATIVES

RESPONSE TO REQUIREMENT
FOR RESTRICTION UNDER 35 USC §121

Nutley, New Jersey 07110
November 21, 2001

Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

In response to the Action dated October 25, 2001 requiring restriction of the claims under 35 USC §121, Applicants provide an election of claims for prosecution.

Applicants elect Group I claims, claims 1-27, 30 and 31, directed to compounds of formula (I), compositions and use, for prosecution in the present application. Applicants reserve the right to file one or more divisional applications on Group II and/or Group III claims, which are both directed to intermediates.

As the Examiner has also required the election of a single disclosed species, Applicants elect the species of Example 7, i.e., 1-[[N-methyl-N-3-[(methylamino)acetoxymethyl] pyridin-2-

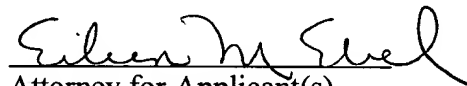
Serial No. 09/702,944
Filed: October 31, 2000

yl]carbamoxyloxy]ethyl-1-[(2R,3R)-2-(2,5-difluorophenyl)-2-hydroxy-3-[4-(4-cyanophenyl)thiazol-2-yl]butyl]-1H-[1,2,4]triazol-4-ium chloride hydrochloride, for examination first.

If the elected species is found patentable, the Examiner should continue to search the presented species until either another species is found unpatentable or the generic claim is determined allowable. Applicants refer the Examiner to the procedures provided in MPEP § 809.02.

No fee is required in connection with the filing of this Amendment. If any fees are deemed necessary, authorization is given to charge Deposit Account No. 08-2525 for the amount of such fee(s).

Respectfully submitted,



Attorney for Applicant(s)

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